

This subject then seems to be one that is specially provided for in the Constitution, and is not intended to be embraced in the general provision of Article 15, section 1.

Turning to Article 3, section 35, which provides that the salary or compensation of any public officers shall not be increased or diminished during his term of office, I do not think that section is intended to apply to the case of Judges. The well known rule of construction which requires us to construe the different parts of a law so as to give effect to every part if possible, would forbid us to construe section 35, of Article 3, in such a way as to bring it in conflict with any other provision of the Constitution, if such conflict can be avoided. To construe section 35, of Article 3, as applicable to Judges, will be to make it conflict directly with Article 4, section 24, as I shall presently show, while such a construction can be given to Article 3, section 35, as will give effect to both that section and section 24, of Article 4.

Section 24, Article 4, when construed, as a similar provision of the Constitution of the United States has been construed, plainly imposes no restriction upon the Legislature so far as the *increase* of the salary of Judges is concerned. The language is almost and for the present therefore notwithstanding the same as the language of the Federal Constitution, Article 3, section 1, which prohibits any diminution of salary during the term of the Federal Judges.

The provision of Article 2, section 1, of the Constitution of the United States with reference to the salary of the President is as follows: "The President shall at stated times receive for his services a compensation which shall neither be *increased* or *diminished* during the period for which he shall have been elected." The provision of Article 3, section 1, of the Constitution of the United States with reference to the salary of Judges is as follows: "The Judges both of the Supreme and inferior courts shall hold their office during good behavior and shall at stated times receive for their services a compensation which shall not be *diminished* during their continuance in office."